

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**RICHARD JORDAN, RICKY CHASE,
ROBERT SIMON, and ERIC THORSON**

PLAINTIFFS

VS.

CIVIL ACTION NO.: 3:15-cv-295-HTW-LGI

**TOMMY TAYLOR, Interim
Commissioner, Mississippi Department
of Corrections; MARSHAL TURNER,
Superintendent, Mississippi State
Penitentiary; THE MISSISSIPPI STATE
EXECUTIONER; and UNKNOWN
EXECUTIONERS**

DEFENDANTS

ORDER

On February 11, 2021, this court established certain deposition protocols in this Death Penalty matter. [Docket no. 221]. This court, understanding that specific measures must be taken to protect the identity of the witnesses who are involved in the procurement of execution drugs or who are part of the execution team, authorized the United States Marshals Service to assist in the anonymous transport of these witness to the Thad Cochran Courthouse in Jackson, Mississippi.

This court determined that the witnesses shall enter the building through the sally port used by the USMS for prisoners, and that they will be taken to the deposition location in the Marshals elevator system, which is closed to the public. This court further held that the deposition location must be in an area that is also closed to the public. Only the witnesses, the court reporter, and any necessary technical people were authorized to be in that room. Plaintiffs' counsel was ordered to be in a separate room, that is in no way proximate to the witnesses' room. Defendants' attorneys were also ordered to be in a separate location. The parties further agreed that a system will be used that disguises the witnesses' voices.

As stated *supra*, only the witnesses, the court reporter, and necessary IT personnel are allowed in the deposition room. This court has already conducted two depositions pursuant to the established protocol, which took place on August 2, 2022, and August 3, 2022. This court appointed Mrs. Tamika Bartee as the court reporter for these depositions. Mrs. Bartee was previously employed with this court; however, she has recently relocated to a different state. Mrs. Bartee has been vetted thoroughly by this court and is intimately familiar with the sensitive nature of the proceedings, as well as the particulars of the established depositions' protocol. Importantly, Mrs. Bartee is familiar with the voice-alteration technology, which has been utilized for the witnesses.

Currently, the parties are scheduled to depose witnesses on August 30, 2022, and September 8, 2022. This court, for the reasons stated, authorizes the Clerk of Court to contract with Mrs. Bartee for the remaining depositions, as well as reimburse her for any travel expenses associated with the depositions. This court reiterates that this is an extremely sensitive matter, and Mrs. Bartee's participation is paramount to ensure proper execution of the anonymous witnesses' depositions.

IT IS SO ORDERED, this the 26th day of August, 2022.

/s/HENRY T. WINGATE
U.S. DISTRICT COURT JUDGE